

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

ROBERT B. KUGLER  
UNITED STATES DISTRICT JUDGE

MITCHELL H. COHEN U.S. COURTHOUSE  
1 John F. Gerry Plaza - Room 6040  
CAMDEN, NJ 08101  
856-757-5019

February 16, 2012

Re: Sciele v. Lupin, 09-37, Preliminary Injunction Remand

Dear Counsel:

This letter is to advise you that, as of the writing of this letter, no Mandate enforcing the Federal Circuit's February 6, 2012 Opinion in this case has been filed on the District of Delaware docket. Although I have considered your submissions and am prepared to enter an Opinion and Order addressing the remanded issue, this will not be possible before the Mandate of the Court of Appeals has been filed in the District Court. I bring this matter to your attention specifically in light of the fact that the Standstill Agreement currently in place between Plaintiffs and the Lupin Defendant will expire at 12:01 a.m. on February 18, 2012.

Very truly yours,

/s/ Robert B. Kugler  
Robert B. Kugler  
United States District Judge

RBK: av

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